



Town of Tyngsborough
Planning Board
25 Bryants Lane,
Tyngsborough, Massachusetts 01879-1003
Office: (978) 649-2300 ext. 115

MINUTES
April 16, 2015
APPROVED

Attachments:

1. Meeting Agenda
2. Land Engineering & Environmental Services Report for Potash Hill Rd. (Mass Crane & Hoist) – 3/25/15
3. Revised Plans for Potash Hill Rd. (Mass Crane & Hoist) – 3/26/15
4. Landscape Plan for Potash Hill Rd. (Mass Crane & Hoist) – 3/26/15
5. Photometrics Plan for Potash Hill Rd. (Mass Crane & Hoist) – 4/15/15
6. Fence Gate Plan for Potash Hill Rd. (Mass Crane & Hoist) – 4/16/15
7. New Building Concept Sketch for Potash Hill Rd. (Mass Crane & Hoist) – 4/15/15
8. Land Engineering & Environmental Services Report for Potash Hill Rd. (Mass Crane & Hoist) – 4/9/15
9. Landscape Plan for Potash Hill Rd. (Mass Crane & Hoist) – 4/8/15
10. Christopher A. Storch Acoustician Preliminary Sound Survey Report for Potash Hill Rd. (Mass Crane & Hoist) – 4/13/15
11. David E. Ross Associates Review for Potash Hill Rd. (Mass Crane & Hoist) – 4/16/15
12. David & Maureen Moorhouse (4 Thoreau Lane) letter regarding Potash Hill Rd. (Mass Crane & Hoist) – 4/16/15

Members Present: Steve Nocco, Chairman
Kimberly O'Brien, Vice Chairman
Caryn DeCarteret
Tom Delmore
Steve O'Neill
Jesse Johnson, David E. Ross Associates

Members Absent: Pat Sands, Associate Member

7:10pm - Meeting called to order by Chairman Steve Nocco

7:12pm **50 Westford Rd. at Potash Hill Rd. Lot B (M21, P23-1, Lot B)** – Potash Properties, LLC, applicant, request for a Special Permit under the provisions of Section 4.11.00 of the Tyngsborough Zoning By-Laws to construct a 45,500 s.f. major industrial complex to be known as Mass Crane & Hoist. *Advertised in the Lowell Sun on Thursday February 5, 2015 & Thursday February 12, 2015.*
Continued from April 2, 2015.

Applicant Darryl Wickens appeared with engineer Doug Lees, and Mass Crane & Hoist owner George Frost. Mr. Lees updated the Board with a lighting plan, landscape plan, elevation plan, building rendering, and a preliminary sound survey. J. Johnson has reviewed the submittals. The lighting plan looks good with the lighting to be located on the building itself. The landscape plan is okay as revised. The preliminary sound survey concluded that the new building and operations would not be impactful provided that the sound of Mass Crane's operation remains the same or similar to the existing conditions. However, this study was not a full environmental noise impact assessment conducted under Mass DEP guidelines.

The Board heard questions from abutters from 17, 21, 35, 38 & 42 Steinbeck St., 9 & 15 Dickens Lane, and 4 Thoreau Lane. Concerns were centered on the noise impact, the emergency gate, tree removal on the site and clear-cutting of the lot which would degrade any vegetated buffer zone. In addition, abutters from 100 & 300 Potash Hill Rd. noted that there is on-going litigation concerning the use of the road and would urge the Board not to issue a Special Permit until this is resolved. Chairman Nocco stated that Town Counsel has advised the Board not to take a position on the status of the road.

The following issues were noted and discussed:

Noise

- The HVAC system, and generator is proposed to be located on the ground on the side of building facing Westford Rd. (which faces away from Steinbeck St.)
- The Board was concerned with the impact a new building will have on the closest neighborhood and requested that the applicant expand the noise study to include noise projections at the new building site.

Tree Clearing

- Several concerns were raised on the clearing of the lot, and the prevention of clearing too many trees that would degrade the vegetated buffer. J. Johnson said that the Board could add a condition to the special permit that would specifically stake out on the plans and in the field what is to be cleared, and to approve it in the field before any clearing is started. The Board liked that idea, and requested that a "No Cut Zone" be added to the plans as well.

Gate

- There was concern over the type of gate proposed to be installed at the end of Steinbeck St. that ties in to Potash Hill Rd., and referenced the ZBA Comprehensive Permit. The Board noted that the ZBA would be responsible for addressing any changes with the gate; however, the applicant should adhere to the requirements of the Comprehensive Permit when deciding what type of gate to install.

The applicant should provide the revised plans and address tonight's concerns at the the next meeting.

S. O'Neill: Motion to continue the hearing until May 7, 2015

T. Delmore: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Passes: 5-0-1

REQUEST FOR COMMENTS

Board of Selectmen – Special Permit application for Solar Facility to be located at the Charles George Landfill.

The Board did not discuss this issue.

ADMINISTRATIVE

The minutes from the April 2, 2015 were tabled until the next meeting.

8:30pm

S. O'Neill: Motion to adjourn

K. O'Brien: 2nd the motion

In Favor: 5 Opposed: 0 Absent: 1

Passes: 5-0-1

Minutes respectfully submitted by,
Pamela Berman
Planning Board Administrative Assistant